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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
07/322,604	03/10/89	STREBER	W SCH922

EXAMINER

HM12/0726
WILLIAM F. LAWRENCE, ESQ.
CURTIS, MORRIS & SAFFORD, P.C.
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U.L.M. J.	PAPER NUMBER
ART UNIT	1646

DATE MAILED: 07/26/99

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

Revised
8/26/99

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 4/12/99

☐ This action is FINAL.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 12, 18, 23, 32, 33, 35, 42, 43, 45-53 is/are pending in the application.
Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☒ Claim(s) 12, 23, 32, 33, 42, 43, 45-53 is/are allowed.
- ☒ Claim(s) 18 + 35 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

—SEE OFFICE ACTION ON THE FOLLOWING PAGES—

Art Unit: 1646

Claims 17, 18, 23, 32, 33, 35, 42, 43 and 45 to 53 are pending in the instant application. Claims 10 to 16, 19 to 22, 24 to 31, 34, 36 to 41 and 44 have been canceled as requested by Applicant in Paper Number 27, filed 12 April of 1999.

Claims 17, 23, 32, 33, 42, 43 and 45 to 53 are allowable as written.


The indicated allowability of claims 18 and 35 is withdrawn in view of the new grounds of rejection under 35 U.S.C. 112, second paragraph. Claims 18 and 35 are rejected under 35 U.S.C. 112, second paragraph, as being vague and indefinite. While processing the instant application for allowance it was discovered that claims 18 and 35 depend from claim 9, which has been canceled. It is not possible to determine the metes and bounds of a claim which depends from a canceled claim. Therefore, claims 18 and 35 are vague and indefinite because the metes and bounds of these claims can not be determined.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John D. Ulm whose telephone number is (703) 308-4008. The examiner can normally be reached on Monday through Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lila Feisee can be reached at (703) 308-2731.

Official papers filed by fax should be directed to (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.


JOHN ULM
PRIMARY EXAMINER
GROUP 1800